

Attorney's Docket No.: 10559-380001 /P10186
Intel Corporation

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claim amendments are presented herein to obviate the current rejection.

35 USC § 101

Claims 16-30 stand rejected under 35 USC § 101 as allegedly being directed to non-statutory subject matter. These rejections are respectfully traversed.

Claims 16 and 27 have been amended to clarify that the article is embodied on a computer-readable medium and that the instructions thereon are operable to cause a computer to conduct certain operations.

Accordingly, it is respectfully requested that this basis for rejection be withdrawn.

35 USC § 102

Claims 1, 10-13, 16, and 25-28 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Farrell. Claims 2-4, 14, 17-19 and 29 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Farrell and Barrett. Claims 5 and 20 stand rejected under 35 USC § 103(a) as allegedly being

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unpatentable over Farrell, Barrett, and Libert. These rejections are respectfully traversed.

The office action takes the position that Farrell, column 4, lines 16-30, which states "The aggregation processor produces Summary NARS i.e., enhanced and unique network accounting records" discloses coalescing the discovery data in a software file comprising a discovery document, said discovery document including two or more duplicate data entries; and removing all but one of the duplicate data entries from the discovery document. However, Farrell does not disclose an arrangement in which duplicate records are ever produced. Rather, the aggregation processor summarizes related information from received NARS across an accounting support arrangement (see, inter alia, Farrell col. 4, lines 21-24). There is no suggestion that the data collectors produce duplicate entries which are subsequently removed by the aggregation processor.

Accordingly, each of the claims should be allowable.

Claim 6 recites identifying two or more agents responsible for generating the two or more duplicate data entries, each agent having a priority value; comparing the priority values of the two or more agents; identifying a first agent having a highest priority, said first agent responsible for generating a first duplicate data entry in the two or more duplicate data

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entries; and removing all but the first duplicate data entry.
Claim 21 recites similar features.

Farrell does not disclose or suggest assigning priority to agents such that only entries from an agent having a highest priority is maintained. Accordingly, claims 6 and 21 should be separately allowable.

Double Patenting

Claims 1 and 16 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1, 7, 14, 17, 21, 22, 24, and 26 of U.S. Pat. App. Ser. No. 09/891,225. This rejection is respectfully traversed.

Each of claims 1, 7, 14, 17, 21, 22, 24, and 26 currently pending in the '225 application relate to an arrangement in which a plurality of agents receive and send formatted information via a network that is organized according to a pre-defined syntax. A coalescing mechanism receives this information formatted according to the pre-defined syntax and coalesces such information with a coalesced file according to priority rules defined with respect to each of the plurality of agents. Such an arrangement comprises an inventive concept that is patentably distinct from claims 1 and 16.

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Each of the claims recite patentably distinct subject matter as compared to the claims 1 and 16. For example, claim 1 recites a priority rule-based coalescing mechanism. Claim 4 recites a priority rule database and a coalescing mechanism. Claim 7 recites sending by a priority rule-based coalescing mechanism and retrieving priority rules from a priority rule database (claim 20 recites similar features). Claim 11 recites receiving priority rules associated with an agent from a priority rule database (claim 22 recites similar features). Claim 14 recites sending formatted information to a priority rule-based coalescing mechanism and retrieving priority rules from a priority rule database (claim 24 recites similar features). Claim 17 recites retrieving priority rules from a priority rule database (claim 24 recites similar features). Such features comprise patentable improvements in relation to the subject matter of claims 1 and 16 as they provide a mechanism by which priority rules associated with various agents to be used in coalescing formatted information.

Accordingly, it is respectfully requested that this basis for provisional rejection be withdrawn.

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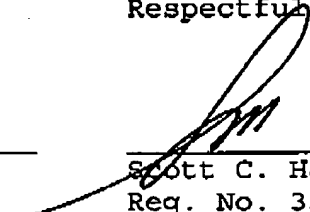
Concluding Comments

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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